

Idaho Heating, Ventilation, and Air Conditioning Teleconference Board Meeting

Thursday - July 08, 2004
Division of Building Safety – Meridian

*The following report is not intended to be a verbatim transcript of the discussions at the meeting,
but is intended to record the significant features of those discussions.*

CALL TO ORDER

Chairman Minegar called the meeting to order at 9:07 A. M. on Thursday, July 08, 2004, at the Division of Building Safety, Meridian, Idaho.

PRESENT

Board Members present included Pat Minegar, Chairman; Steve Keys and Mike Wisdom. Board Members participating via teleconference call included Carol Alexander and Steve Brown. Present from the Division of Building Safety were Dave Munroe, Administrator; Marsi Woody, Financial Officer; Kay Manweiler, Deputy Attorney General; Ted Hogander, HVAC Bureau Chief; Russ Owen, Program Supervisor; Renee Bryant, HVAC Licensing; and Melinda Doan, HVAC Administrative Assistant and recording secretary.

Board Members absent included Jim Bledsoe and Russell Firkins.

Also present was Bob Corbell, HVAC Association.

PROPOSED ADDITIONS/CHANGES TO IDAPA 07, TITLE 07, CHAPTER 01

Carol Alexander addressed the verbiage in 021, number 3, letter C, which talks about termination of working relationship with designated journeyman it specifically talks about the death of the contractor where the contractor was acting as the designated journeyman and it says the contractor license will be void at the end of 90 days unless another qualified journeyman is designated by contractor....if he is dead it would have to be his heirs or assigns. It was decided that the rules would be reworded to include terminology separating between a journeyman who decides to or is asked to terminate versus if the contractor dies.

Steve Brown addressed 021, number 3, letter A, which addresses supervising journeyman being available at all times during working hours to act in that capacity. Clarification was given that since the rules do not require direct supervision the supervising journeyman does not need to be physically at the job site but rather would only need to be a point of contact for that business. This would still allow action to be taken at job sites if apprentices were on the job site without a licensed journeyman or if work was being completed by other than licensed journeymen.

Businesses with more than one entity would be allowed to designate one supervising journeyman that each entity would report to.

Carol Alexander made a motion to adopt these temporary changes as discussed. Steve Keys seconded. All were in favor. Motion carries.

The qualifications to be a contractor in sections 021 and 022, number 1, letters B and C were discussed since a contractor may now be a business and a business can not prove they have been legally acting as a journeyman for 24 months nor may they take an examination. This issue is addressed in the addition of number 3. Discussion was tabled for a future meeting since the board may not change this now.

The newly adopted temporary rules will be retroactive July 1, 2004.

Meeting was adjourned at 9:25 A.M.

COPY

DAVE MUNROE
SECRETARY OF THE BOARD

COPY

MELINDA DOAN
MINUTES RECORDER

07.07.01.010

010. DEFINITIONS.

01. **Administrator.** The administrator of the Idaho Division of Building Safety. (3-16-04)
02. **Board.** The Idaho Heating, Ventilation, and Air Conditioning (HVAC) Board. (3-16-04)
03. **Bureau.** The Idaho Division of Building Safety, Heating, Ventilation, and Air Conditioning Bureau. (3-16-04)
04. **Division.** The Idaho Division of Building Safety. (3-16-04)

05. **Additional Definitions.** Terms defined in Section 54-5003, Idaho Code, will have the same meaning when utilized in these rules- except that the term "heating, ventilation and air conditioning specialty contractor" shall include any natural person or any business, trade, partnership, corporation, firm or association engaged in a specific aspect of the heating, ventilation and air conditioning trade such as gas piping, gas appliances and installation, or decorative gas-fired appliances. (3-16-04)

06. **Rules.** IDAPA 07.07.01, "Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems, Division of Building Safety". (3-16-04)

011. CERTIFICATES OF COMPETENCY -- ISSUANCE, RENEWAL, EXPIRATION, REVIVAL AND CALCULATION OF DATES.

01. **Issuance.** Certificates of competency shall be issued in such a manner as to create a renewal date that coincides with the birth month of the individual to whom the certificate is issued and allows for renewals every three (3) years. (7-1-04)T

a. Certificates of competency shall be issued for a period of no less than one (1) year and no more than (3) three years. For example: a qualified applicant who applies for a certificate of competency in August of year one (1), but whose birthday will not occur until March of year two (2) shall be issued a certificate of competency renewable on the anniversary of the applicant's birth month. (7-1-04)T

b. The fee for issuance of certificates of competency shall be prorated based on the number of months for which the certificate is issued. (7-1-04)T

02. **Renewal.** Certificates of competency shall be renewed in such a manner as to create a staggered system of certificate renewals using the birth month of the individual to whom the certificate is issued as the expiration date. (7-1-04)T

a. Certificates of competency shall be renewed for a period of no less than one (1) year and no more than three (3) years. (7-1-04)T

b. The fee for renewal of certificates of competency shall be prorated based on the number of months for which the certificate is issued. (7-1-04)T

03. **Expiration-Revival.** (7-1-04)T

a. Certificates that are not timely renewed will expire on the last day of the month in which the renewal is due. (7-1-04)T

b. Revived certificates shall be issued in such a manner as to create a renewal date that coincides with the birth month of the applicant so as to create a staggered system of renewal. (7-1-04)T

04. Calculation of Dates. When the division issues certificates of competency to entities other than natural persons, the date that the certificate is issued shall be used in lieu of a birth date for purposes of calculating certification, renewal and revival dates.

020. HVAC CONTRACTOR AND HVAC JOURNEYMAN APPLICATIONS FOR EXAMINATION AND CERTIFICATES OF COMPETENCY, AND REGISTRATION OF APPRENTICES.

Application ~~forms~~ for HVAC contractor, HVAC specialty contractor, and HVAC journeyman examinations or certificates of competency and for HVAC apprentice registrations, shall be ~~submitted~~printed and made available on forms provided by the administrator.

01. Application Forms. All applications for certificates and all applications for registration ~~shall be submitted on forms provided by the administrator and~~ shall be properly completed, giving all ~~pertinent~~required information, and all signatures shall be notarized. (3-16-04)

02. Application, Renewal, And Registration Fees. Fees for applications for examination, certificates of competency, renewal of certificates, and fees for apprentice registration shall be as set forth in Section 54-5012, Idaho Code. (3-16-04)

03. Application Submission. All applications shall be submitted to the Board and shall be approved by an administrator before any examination may be taken and before any certificate of competency is issued. (3-16-04)

021. HVAC CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Contractor. (3-16-04)

a. Bond. Applicants shall provide a ~~performance-surety~~ bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC journeyman for a period of not less than twenty-four (24) months. (3-16-04)

c. Examination. Applicants for certification as HVAC contractors must successfully complete the examination designated by the board. (3-16-04)

02. Alternate Requirements For HVAC Contractor. (Applies only until April 1, 2005). (3-16-04)

a. Bond. Applicants shall provide a ~~performance-surety~~ bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Proof, satisfactory to the board, of having engaged in the business of HVAC contracting prior to July 1, 2004. Forms of proof include, but are not limited to: (3-16-04)

i. Copies of business licenses or registrations; (3-16-04)

ii. Tax returns; (3-16-04)

iii. Business advertisements; (3-16-04)

iv. Client affidavits; or (3-16-04)

v. Descriptions of work done to date. (3-16-04)

c. Examination. Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination must be completed using the statute

and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency. (3-16-04)

03. Additional Requirements. Any person, firm, partnership, company, association or corporation that applies for an HVAC contractor certificate of competency shall be required to designate a supervising HVAC journeyman on the application.

a. Supervising journeyman. The designated supervising journeyman must be a full time employee who holds an active HVAC journeyman certificate of competency, issued by the division, that is active and in good standing. The designated supervising journeyman must be available at all times during working hours to act in that capacity.

b. Individual contractor may act as designated supervising journeyman. An individual HVAC contractor may act as the designated supervising journeyman so long as he meets the criteria set forth in subpart 03.a, above.

c. Termination of working relationship with designated supervising journeyman. In the event that the designated supervising journeyman's working relationship with the HVAC contractor is terminated for any reason, the contractor must designate a qualified replacement supervising journeyman within 90 days of the termination or the contractor certificate shall be void. If the contractor certificate is held by an individual who is also acting as the designated supervising journeyman, the contractor certificate shall be void at the end of 90 days unless a qualified replacement supervising journeyman is designated.

022. HVAC SPECIALTY CONTRACTOR CERTIFICATE OF COMPETENCY.

01. Requirements For HVAC Specialty Contractor. (3-16-04)

a. Bond. Applicants shall provide a ~~performance~~-surety bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Applicants shall provide proof, satisfactory to the board, of having legally acted as an HVAC specialty journeyman for a period of not less than twenty four (24) months. (3-16-04)

c. Examination. Applicants for certification as HVAC specialty contractors must successfully complete the examination designated by the board. (3-16-04)

02. Alternative Requirements For HVAC Specialty Contractor. (Applies only until April 1, 2005). (3-16-04)

a. Bond. Applicants shall provide a ~~performance~~-surety bond in the amount of two thousand dollars (\$2,000). (3-16-04)

b. Qualification. Proof, satisfactory to the board, of having engaged in the business of HVAC specialty contracting prior to July 1, 2004. Forms of proof include, but are not limited to: (3-16-04)

i. Copies of business licenses or registrations; (3-16-04)

ii. Tax returns; (3-16-04)

iii. Business advertisements; (3-16-04)

iv. Client affidavits; or (3-16-04)

v. Descriptions of work done to date. (3-16-04)

c. Examination. Copies of the HVAC statute and rules, along with an examination regarding the statute and rules will be included in each application package. The examination must be completed using the statute and rules and a written verification of completion of the examination must be submitted at the same time as the completed application for a certificate of competency. (3-16-04)

050. HVAC PERMITS.

- 01. Serial Number.** Each permit shall bear a serial number. (3-16-04)
- 02. HVAC Contractors And HVAC Specialty Contractors.** The Division shall furnish permits to certified HVAC contractors and HVAC specialty contractors upon request. The serial numbers of such permits shall be registered in the name of the HVAC contractor or HVAC specialty contractor to whom they are issued. Permits shall not be transferable. (3-16-04)
- 03. ~~Home~~ Property Owners.** Home owners ~~or~~ and contract purchaser of residential property, making HVAC installations on their own residences, ~~coming under the provisions of as authorized in~~ Section 54-5002, Idaho Code, and maintenance workers who meet the criteria set forth in Section 54-5002(4), Idaho Code, shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. (3-16-04)
- 04. HVAC Contractors And HVAC Specialty Contractors.** HVAC contractors and HVAC specialty contractors shall secure an HVAC permit by making application to the Division as provided in Section 54-5016, Idaho Code. (3-16-04)
- 05. Expiration Of Permit.** Every permit issued by the Division under the provisions of Section 54-5017, Idaho Code, shall expire by limitation and become null and void if the work authorized by such permit is not commenced within one hundred twenty (120) days from the date of issuance of such permit, or if work authorized by such permit is suspended or abandoned at any time after work is commenced for a period of one hundred twenty (120) days. Before work that has been suspended or abandoned for a period of more than one hundred twenty (120) days since originally commenced, may be recommenced, a new permit must first be obtained, and the fee shall be one-half (1/2) the amount required for a new permit for such work; provided, no changes have been made, or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one (1) year. All HVAC fixtures shall be listed on the application for permit. (3-16-04)